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ABSTRACT

The article discusses the provision of educational services to incarcerated youth (all children in institutional settings, but particularly delinquents). Issues examined include the locus of authority for the education of the incarcerated, the need for adequate needs assessment data so that more systematic planning can be done, the need to organize available data into some meaningful picture, and the prejudice and bias that are part of the dynamics of who gets incarcerated. Some future perspectives are also offered. (DLS)

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An Essay on Incarcerated Youth: An Oppressed Group

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by

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Preface

As described in The ERIC Clearinghouse on Handicapped and Gifted Children Contract No. 400-76-0119, FY 78 Continuation Proposal, Information Analysis Product #78-6 (Category A) is a state of the art report on the education of troubled and alienated youth. The stated purpose of the publication was to present the basic message of the Invisible College on Alienated, Disruptive and Incarcerated Youth to a wide audience.

The College Conference, which was funded by the National Institute of Education and conducted by the Clearinghouse on January 8 and 9, 1979, included eleven presentations by people on the cutting edge of knowledge in this field. The needs, rights, and responsibilities of chronic norm violators, community school partnership, school based treatment, alternative programs, family intervention, vocational and special education were topics addressed at the conference. This paper appeared in a specially planned topical issue of Exceptional Children on "The Yet to Be Served Children," April 1979, Two other products resulting from the conference, a book and a tape album will be available from The Council for Exceptional Children in the fall of 1979.

The material in this publication was prepared pursuant to a contract with the National Institute of Education. US Department of Health, Education, and Welfare. Contractors undertaking such projects under government sponsorship are encouraged to express freely their judgment in professional and technical matters. Prior to publication the manuscript was submitted to The Council for Exceptional Children for critical review and determination of professional competence. This publication has met such standards. Points of view, however, do not necessarily represent the official view or opinions of either The Council for Exceptional Children or the National Institute of Education.

An Essay on Incarcerated Youth: An Oppressed Group

JOHN L. JOHNSON

THERE are many groups of unserved and inadequately served youngsters, all of whom have been given a new educational lease by virtue of Public Law 94–142 and its broad mandate. This article is about one such group—incarcerated youngsters—and the particular problems of alienation that seem to surround them. The central theme is one of responsibility for the education of these special youth and the role that special education can take to help assure equal educational opportunity. The thesis of this article is that we, as special educators, must begin to view the group characteristics that make these youth stand out as a yet to be served population.

With the passage of Public Law 94–142, special education was cast into a position of educational leadership that is likely to continue throughout the decade of the 1980's, and there has been substantial progress toward the goal of full services for all children—yet we are faced with several serious problems. The need for improved incidence and prevalence data that can be tied to fiscal allocations; the current attitude of regular educational administrators toward funding services for the handicapped; a national budget in which expenditures for health, education, and welfare are being reduced; problems of inflation and unemployment; and a growing public concern that the needs of disadvantaged groups must compete equally with energy, ecology, and defense all seem to be a part of the current picture from which programs for the unserved must be developed. This is not to say that in some areas we have not made progress but that the types of problems we will face in the future are more complex, have an extensive history, and have their own special types of dynamics. The problem of attempting to bring new groups of unserved youngsters into the present educational, fiscal, and social system is quite serious. We seem to be faced not just with discrete problems, but more with clusters of problem conditions all suspended in the increasingly turbulent environment.

The Education of Incarcerated Youth

Using the preceding discussion as background, we want to address our attention to one of the complex education problems we face in attempting to provide education to all children. The responsibility for the education of incarcerated children and youth appears to be one of the most serious problems of the future. Basically, we want to focus attention on children and youth who are in closed, 24 hour institutional care settings. These include detention facilities, training schools, residential care homes, and other types of specialized settings where individuals between the ages of 5 to 21 are often involuntarily confined. Our particular attention should be on both males and females who are sometimes called neglected and delinquent, socially maladjusted, youthful offenders, or juvenile delinquents. Norm violation, violence, aggression, deviance, and anomie and crime are the concerns of professionals whether they serve rural, suburban, or urban youth. Significant numbers of these youth are found in the criminal justice and social welfare systems and others find their way into the mental health system. Often these youngsters have official contact with more than one system and each has its own particular form of identification, assessment, intervention, and criteria for intervention.

Education is a major issue. School failure is thought to be an antecedent and almost always a concomitant condition. Many incarcerated youth test at a level indicating mental retardation; about one-third of the group (32%) is thought to display serious learning disability in contrast to only 16% of the unincarcerated population. Surveys done over the years report a high incidence of reading problems. Emotional disturbance is always a factor, yet

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this group has been discussed in terms of its potential for giftedness and talent. It would appear from looking at group data that exceptionality is incorporated throughout this group of youngsters. It would appear that all would qualify for special education services, and that in itself is the first dilemma of responsibility which must be faced. Can an entire group from diverse circumstances qualify as handicapped?

We are dealing with a target group that is marginal to several systems and for which there has been a history of overlapping responsibility. There are, of course, voices in every community who speak for incarceration in order to "rid the community" of youth who find themselves in trouble with the law. The fact of the matter is that regardless of which voices speak loudest, those for liberal deinstitutionalization or those for incarceration, there will probably be a need for programs where confinement and externally imposed control are used and necessary for some youngsters. We need to face this fact squarely.

The central question remains: Given the fact that incarceration will be used in the future and that present estimates reveal that as many as half a million youth are incarcerated across the country—who is responsible for education? What type of education? What constitutes correct education? How do we develop delivery systems that are responsive to the forces of change brought on by court order, legislation, and increased public sensitivity to human rights in general and to this particular group of unfortunate youngsters?

These issues are not new ones for special educators nor for organizations such as The Council for Exceptional Children (CEC). The Council for Children with Behavioral Disorders (CCBD), a division of CEC, grafted its beginning from concerns about the socially maladjusted and its founders were able to articulate their experience of working with delinquents and the disturbed in such a fashion that the concept of behavioral disorders was used as a guiding principle. There was clear understanding that CCBD was to be concerned with youth in the training schools as well as those in the state hospitals, because in those days there were few public school programs. (In the late 1950's and early 1960's, most special educators worked in institutions and were trained to work behind closed, locked doors or in residential treatment centers.)

The most recent expression of this concern is to be found in the development of *Behavioral Disorders*, the journal of CCBD. Its first issue and subsequent themes often address the problems of responsibility for the education of incarcerated youngsters and other yet to be served institutionalized groups. In short, special educators have been active in working on the problems of neglect, delinquency, and social maladjustment, which often lead to incarceration. We have, along with other human service systems, attempted to find answers and to become effective advocates. Yet the question of responsibility weighs more heavily today, since we, along with others, are in the midst of changes of the social order that are creating an entirely new professional situation where accountability will be the issue. In attempting to pinpoint responsibility and accountability issues, we will probably find that what others decide to do or neglect to do will affect our professional actions more than in the past. We will probably find that more collaboration and discussion of more complex issues will be the ordinary procedure rather than simply another pilot or demostration effort. We will also probably find that there will be fewer incarcerated individuals but that more of them will be eligible for special education and related services and that Public Law 94–142 and its expected legislative advances will mandate programing in areas for which there are few trained personnel. Further, we will probably find that we will have to reconsider what we now term *exceptionality*, since none of the present regulations refer to patricide as an exceptionality, and juvenile alcoholism and other forms of addiction (including addiction to welfare and charity programs) will be considered learning disabilities of a type that defy our current methods of educational practice. Moreover, there will always be the strange anomaly of the gifted delinquent and perhaps the politically alienated youngster for whom incarceration is society's way of dealing with its own inability to accept individuality of a strange new type.

One of the most important challenges to future special educators will be to find ways of effectively building interest in the need for appropriately funded services to these youth, and particularly the increasing number who have demonstrable handicaps. In order to carry out this task, a number of critical issues must be addressed and special education cannot do it alone.

Future Dynamics and Issues

Locus of Authority

One of the first issues that must be addressed is the matter of the confused and overlapping authority for the education of the incarcerated. The basic problem has to do with the locus of professional authority, since at one time or another the legal, social welfare, and educational systems each carry responsibility for one or more aspects of the individual's existence. Often legal and social services personnel retain major authority because of issues around custody and protection of the community. Simultaneously, the courts, probation officers, forensic psychologists, and lawyers have responsibilities and their own professional views of the youngster and his or her problems. Quite often the host profession for "education and treatment" is one where corrections or training are primary thrusts and other professional groups are required to work under policies and philosophies that are competitive rather than collaborative. Also, quite often youngsters are in strict confinement, accused of crimes, appearing in trials or custody hearings, and working with attorneys is often complicated and expensive procedures. Clearly, law enforcement and judicial needs often define the scope of the youngster's life, and schooling is often a secondary aspect.

The dynamics of providing appropriate education for incarcerated youngsters will probably continue to include a strong criminal justice element as the central source of authority while educators, therapists, and other human service workers will play an important but nonetheless secondary role. Special educators, in particular, should be able to overcome some of the barriers to effective professional practice when programs are to be carried out in another professional domain. The major undertaking must, however, be a continuous process where questions of authority, expertise, and competence are raised and clarified to help prevent the continued splitting of the youngster where one professional group has authority over norm violating behavior, another over educational attainment, and still another over the environmental factors that influence both. Special educators, if we are to effectively assist in the education of this unique group, must be prepared to take the leadership on questions of expertise and competence, particularly in light of the liberal interpretation of what constitutes education and related services, in future legislation.

Availability of Needs Assessment Data

A second critical issue has to do with the availability of adequate needs assessment data (e.g., number of youth involved, where housed) so that more systematic planning can be done. At present there are numerous routes to incarceration and difficulty establishing classification criteria that can potentially lead to educational and treatment plans. Further complicating the problem, youthful offenders are housed in numerous types of facilities, including military schools and disciplinary barracks, prisons, contract group facilities in the community, and camps. Attempting to organize a needs assessment process and collect systematic data seems virtually impossible. In addition, present laws and government regulations may serve to keep the full extent of the problem hidden.

Adequate needs assessment data is important and some improvement in our capacity to estimate the extent of need is absolutely critical if we are to seek out proper local, state, and federal financial resources for new and improved services. Needs assessment that is youth study oriented and ecological in nature seems appropriate and much needed.

Organizing Available Data

A third issue is that the problems of incarcerated youth have been studied from every conceivable angle. There appear to be reports, studies, dissertations, theses, and analysis, most of which suggest the obvious. Youth who find themselves incarcerated are troubled youth. There are findings about negative self concept, poor reading ability, impulsivity, uncontrolled aggression, and locus of control. Broken family status and low socioeconomic status findings are prevalent. There seem to be hundreds of parole options and programs. There are programs in which speech and hearing are major factors, where nursing is important, where parent surrogates are used, and so forth. A cursory review of the literature suggests that intervention is mostly with individuals and small groups of individuals over a three month period and that the intervention is reasonably effective, as long as the individual is in the institution or under frequent supervision. There are very few reported institutional or organizational interventions.

In sum, there has been a tremendous amount of study and reporting of work with these youth, most of it on a short term, experimental basis, testing known theory. There appear, however, to be few large scale intervention projects where application of experimental findings are the goal.

The Dynamics of Incarceration

Another important issue is the serious covert and overt prejudice, bigotry, and economic bias that are a part of the dynamics of who gets incarcerated and why. Racism is well established and sexism is becoming overt, even if there is little pertinent discussion about their particular effect. Questions concerning why the youth of certain social classes are over represented in the incarcerated population must be raised. Deeper ideological issues can be raised about the present reliance upon the criminal justice system for the containment of Black, Puerto Rican, feminine, and ghetto stimulated aggression. Is there a collusion among policy makers and public image shapers to advocate strengthening and improving the correctional system while at the same time reducing budget allocations to the point where custody is the only program offered? Are there problems that require extensive public review since we do live in a society where a runaway youth could be confined for an indefinite period while white collar criminals and government officials convicted of perjury serve minimal sentences? What are the serious ethical problems that permit juvenile prostitution to develop as a service to conventioneering businessmen?

Responsibility for education of incarcerated youth probably will mean responsibility for uncovering the particular ignorance and bigotry that is an important basis for incarcerating youth. The tendency to view these youth as disruptive and as law breakers and as suffering from some lack of moral standards are impediments to our assumption of responsibility for education. Incarcerated youth seem to be a particular subgroup of the adolescent population—one that displays certain sociopolitical characteristics. If special education is to assume responsibility for the education of this group, then it seems appropriate to think about the risks of confrontation with some of the most established beliefs and biases about the children of the poor, the oppressed, and the illiterate, who find themselves incarcerated to a greater extent than any other group. If these youth are to become our responsibility, then it seems appropriate for us to begin to think about assuming responsibility for the entire person and not just for reading problems and social behavior in the classroom.

Finally, we should consider some of the critical factors about the so called rehabilitation process, whether it includes training, treatment, or education. The present thrust of Public Law 94–142 suggests that "education" includes all three and is basically a broad range of services designed to enhance human potential. Reeducation has become a concern along with conventional forms of treatment for emotional problems. Much about survival, "getting over on the system," and improved methods of stealing cars, breaking and entering, and pimping is learned with a retention rate that should be the envy of all teachers.

How do we begin to explain the contradiction in our professional programs if prevocational and vocational training do not adequately prepare youth for any suitable occupation. Furthermore, we should begin to question the more serious contradiction between our professional aspirations for these youth in terms of employment and the reality of the serious problem of youth unemployment, found mainly among the youth who are most susceptible to contact with the criminal justice system.

The most recent fad seems to be the identification of learning disabilities among the incarcerated population. Certainly there are problems of learning and special education has some technical capacity to work in that area. However, the reported high incidence of learning disability among this population suggests that we need to take another look. Perhaps learning disability will become a convenience label that permits special education entry into areas with which we are familiar and have a good professional self concept. When we look closely at some of the basic problems of this group, such as long histories of social, economic, and personal failure; feelings of being discarded and unwanted; pervasive alienation; distrust of others; depression; rejection of socially approved rules of interpersonal conduct; along with frequent evidence of substance abuse, one could raise a legitimate question about our present capacity to educate these youth. Rehabilitation is not the answer, since restoring one to his or her previous con-

dition is long outdated as a theory, would be unethical as a practice, and possibly be illegal under Public Law 94–142.

Future Perspectives

We have an important challenge and opportunity to continue the tradition of service that has brought a new humanity and a new maturity into our system of schooling (Roth, 1979). Programs of advocacy, training, and treatment have been considered a part of special education and should continue where incarcerated youth are concerned. The future suggests that the new special educator of merit will be the one who teaches incarcerated youth. This responsibility to the needs of incarcerated youth is a challenge that will cause special education (voluntarily and from pressure) to adapt theories and applications from several other fields. Collaboration in the true sense of working together by providing expertise and sharing accountability will be required. It is predicted that applications of various technologies now used to impart basic skills will be the least of our concerns, since the issues of justice, oppression, economic disadvantage, and alienation will be the more difficult factors to understand and manage. In one sense, we will need programs of social literacy and value literacy, both for incarcerated youth and for the broader community. Education for critical consciousness (Freire, 1973), in which a theory of education based on a conviction of capability rather than disability is provided, must become the goal of education of these youngsters.

We will need to develop institutional organizations that pay as much attention to the stresses experienced within the staff, basically brought on by virtue of their own form of involuntary confinement over time. We will need training programs that build applied behavioral science competencies and social change methodology along with the capacity to apply reinforcers to discrete behaviors. We will need special educators whose primary interest is on the group and its unique influences upon the individual. We will need to learn to use group relations strategies as the medium of change and to shift far away from our unitary focus on the individual. We will need administrators who are committed to value education and multicultural treatment programs and who are willing to stand up to the pressures of politics that dominate this field. We will need program developers who have a solid grasp of previous work in correctional education, methods of character education, group resocialization strategies, and the tremendous amount of work done in other countries. Workers in this field will have to be able to develop professional attitudes that permit them to draw upon past knowledge effectively and to dispel the myth of the present climate where most anything is claimed as an innovation.

We will need advocacy groups who are willing to take up the political, legal, and economic issues that keep alienated youth behind bars rather than giving them opportunities to release their creative powers and to experience purposeful living.

The creative powers contained among this group of oppressed youth is probably the best working capital we have. Large numbers of those who find themselves in correctional settings display an intuitive ability to understand systems, they have an acute capacity to work in groups for a specific goal, and their ability to organize and lead others is quite profound. Those who would conceptualize the new responsibility for the education of incarcerated youth should understand that S. R. Slavson's (1954) thinking may still be the most relevant thing around. The notion of releasing talent through group and community participation is probably very basic to what we must do in order to effectively serve this group.

Encouraging human potential should become the basic consideration from which we begin to program for these select youth who perhaps represent something about us all, something turbulent that has no way to find expression, the power for action that we often find incarcerated within ourselves, that bit of deviance that we all must feel and have learned to repress, that striving to be able to express one's feelings as they are and to organize oneself in the here and now. If special education can find a way to help release the latent talent for learning found among one of the most oppressed and alienated representatives of the entire adolescent group, then perhaps we will be able to meet the new mandate of education for all children and youth.

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